English Language Learners in Vermont: Distinguishing Language Difference from Disability

- A Resource Guide –

May 2010

Vermont Department of Education
New England Equity Assistance Center, Education Alliance at Brown University
Northeast Regional Resource Center, Learning Innovations at WestEd

State of Vermont
Vermont Department of Education
120 State Street
Montpelier, VT 05620-2501

May 2010

Dear Interested Vermonters,

I welcome the opportunity to introduce a new document to you. It is designed to improve educational services to English Language Learners in Vermont's schools.

In 1994, the Department of Education published *Serving Students Learning English as a Second Language: A Guide for Vermont Educators.* That document outlined essential legal requirements and basic components for setting up language and academic support services for English Language Learners (ELLs). During the intervening years, it became clear that significant educational and legal issues arise when parents and/or educators realize that these students may also be eligible for special education services.

This realization led to the formation of a broad coalition of interested groups and individuals who have collaboratively developed this document, *English Language Learners in Vermont: Distinguishing Language Difference from Disability*. In the Acknowledgments section are the names of eight collaborators and sponsors and a large number of others who have contributed to the document. Given the breadth of issues dealt with, they all deserve our deep appreciation.

This electronic document offers a wide range of information, analysis and resources designed to address significant issues that arise when educators and families realize that a student may need, in addition to ELL services, special education services.

It is essential to keep in mind that ELL students may be, based primarily on language and cultural characteristics, either under- or over-represented in special education. The appropriate use of this Resource Guide should lead to special education eligibility decisions and services that are warranted by students' educational needs.

I trust that you will find the Resource Guide of practical value as you wrestle effectively with the important issues found at the intersection of English as a Second Language services and special education services. Please address any comments or questions about this document to Jim McCobb (ELL Program Coordinator); (802) 828-0185; james.mccobb@state.vt.us; or Josh Souliere (ESS-Special Education Consultant); (802) 828-0552; josh.souliere@state.vt.us

Sincerely,

Armando Vilaseca
Commissioner

Acknowledgements

The English Language Learners Program and the Integrated Support for Learning Division of the Vermont Department of Education extend their gratitude to the following people for their assistance and guidance in the development of this document.

Collaborators/Sponsors
Karin Edwards, Director, Preschool through Middle School Division, Integrated Support for Learning, Vermont Department of Education (VT DOE)
Phyllis Hardy, New England Equity Assistance Center (NEEAC), the Education Alliance at Brown University
James McCobb, English Language Learners Program Coordinator, VT DOE
María Pacheco, Director, NEEAC
Lucy Ely Pagán, M.A., Northeast Regional Resource Center (NERRC), Learning Innovations at WestEd
Kristin Reedy, Director, NERRC, Learning Innovations at WestEd
Sara Smith, Co-Director, NEEAC
Josh Souliere, Education Support Systems Consultant, VT DOE
Gail Taylor, Director, Research, Standards and Assessment, VT DOE

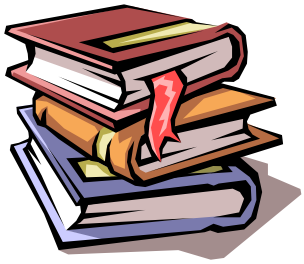
Core Team Workgroup Members
Nancy Timbers Devost, M.A., Bilingual Education; ESL Teacher, Winooski School District
Gayle DiMasi, Community-Based Parent Involvement Coordinator, Vermont Family Network
Karen Donovan, Licensure/Special Education Coordinator, Saint Michael's College
Dawn E. Gruss, Coordinator of Student Support Programs, PK-8, Chittenden Central Supervisory Union, Essex Jct., VT
Rita MacDonald, M.A., TESL, Faculty Adjunct, Applied Linguistics, Saint Michael's College
Mary Martineau, Associate Superintendent, Special Education Administrator, ESL Coordinator, Winooski School District
James McCobb, M.Ed., ELL Program Coordinator, VT DOE
Susan McDonald, M.S., CCC-SLP, English Language Instructor and Speech-Language Pathologist, Burlington Public Schools
Lucy Ely Pagán, M.A., NERRC, Learning Innovations at WestEd
Josh Souliere, M.A., Organizational Management and Leadership, Education Support Systems Consultant, VT DOE

Readers
Kathleen B. Boundy, Esq., Co-Director, Center for Law and Education, Boston, MA
Delia Cerpa, Education Consultant, South East Regional Resource Center (SERRC)
Jeanne Collins, Superintendent, Burlington School District
Mary Beth Doyle, Associate Professor, Saint Michael's College
Karin Edwards, Director of Integrated Student Learning, VT DOE
Phyllis Hardy, NEEAC
Kathleen Kilbourne, Project Director, Parent Information Resource Center, Vermont
Pamela Kraynak, Esq., NERRC, Learning Innovations at WestEd
Sharon Lloyd Clark, Director, NEEAC
James McCobb, ELL Program Coordinator, VT DOE
Rita MacDonald, M.A., TESL, Faculty Adjunct, Applied Linguistics, Saint Michael's College

Janna Osman, Stern Center, Williston, former LD Consultant, VT DOE
Marla Pérez Selles, Learning Innovations at WestEd
Carol Randall, Assistant Director of Integrated Student Learning, VT DOE
Kristin Reedy, Director, NERRC, Learning Innovations at WestEd
Alexia Rodríguez Thompson, Ph.D., Associate in Bilingual Education, VESID-Program Development and Support Services, NY Department of Education, Albany, NY
Judy Smith Davis, IRIS Center for Training Enhancements, Vanderbilt University and Claremont Graduate University
Peter Thoms, Editor, VT DOE
Noel White, Senior Editor, WestEd
Tim Whiteford, Associate Professor, Saint Michael's College

Technical Assistance and Guidance
Phyllis Hardy, NEEAC
Lucy Ely Pagán, NERRC
María Wilson Portuondo, NEEAC

Web Support
Linda Bess, DOE Web Manager
Lucille Chicoine, ELL Program Administrative Assistant



English Language Learners in Vermont: Distinguishing Language Difference from Disability
- A Resource Guide -

Table of Contents

I. Introduction: Demographics, Origins, Purpose and Intended Outcomes 4

II. Essential Sources for Providing High Quality Services for English Language Learners.....7

III. Overview of Federal and State Requirements 11

IV. Educational Support Systems (ESS), Educational Support Team (EST), the EST Process for English Language Learners, and Special Education 14

V. Parental Engagement for English Language Learners (ELLs) 26

VI. Instructional Strategies for English Language Learners (ELLs) 30

VII. Making Appropriate Referrals to Special Education 34

VIII. Conducting a Special Education Evaluation for an English Language Learner (ELL).....36

IX. Appendices.....39

I. Introduction: Demographics, Origins, Purpose and Intended Outcomes

Distinguishing a learning difficulty resulting from learning English as a second language from one caused by a disability is a challenging task. Many variables need to be taken into account in order to understand the interrelationship of language, culture, and school factors that impact the learning and behavior of English Language Learners (ELLs). This chapter describes ELL demographics in Vermont, the origins and purposes of the Guide, and intended outcomes for readers.

English Language Learner Demographics in Vermont

To understand fully the need for and value of this resource document, it's important to consider first the demographic changes that have occurred (and continue to occur) in our state. In 1998, the enrollment of ELLs in Vermont was 892 students. According to the most recent (spring 2009) results of the *ACCESS for ELLs®*, the annual English language proficiency assessment, and adding in new enrollments during the 2009-2010 school year, there are about 1,700 ELLs currently attending K-12 schools. This is a 90.6% increase in 11 years. The percentage of ELLs to the total student enrollment in Vermont increased from .85% in 1998 to 1.9% in 2010. Fifty-five out of 62 Vermont districts/supervisory unions, including 180 schools, had at least one ELL in 2010**.**

During this same period of time, the ELL population has become much more diverse in terms of languages spoken, cultural characteristics, educational levels, and backgrounds. Through an ongoing state survey process, we now know that almost 100 different languages are spoken in homes of children enrolled in Vermont schools. About 60% of ELLs in Vermont were born outside the USA, coming from 97 countries and six continents − Africa, Asia, Europe, North America, South America, and Oceania − and including many who arrived with their families in the U.S. as refugees.

Of the 100 languages, 69 are spoken by fewer than ten school-aged ELLs. The ten most common languages spoken by ELLs in 2009-2010 are: Maay Maay, Spanish, Bosnian, Vietnamese, French, Nepali, Somali, Arabic, Turkish, and Russian.

Origins and Purpose of this Document

Along with Vermont's demographic changes have come new challenges and opportunities for schools and communities. These include ensuring that ELLs receive the linguistic, cultural, and educational supports and programs to which they are legally entitled and need in order to be fully integrated with their peers in their grade-level academic classes, schools, and communities. Vermont K-12 educators at the local and state levels have been collaborating on the development of a comprehensive and consistent system of research-based standards, curriculum, instructional strategies, assessments, and professional development.

One of the recurring dilemmas and most challenging tasks faced by schools has been how to distinguish between the language and academic needs of all ELLs and those of ELLs with disabilities who need additional supports and accommodations to thrive in school.

In the effort to address this need, the Vermont Department of Education (the ELL Program and the Integrated Support for Learning Division), formed a partnership with the Northeast Regional

Resource Center, Learning Innovations at WestEd (NERRC), New England Equity Assistance Center (NEEAC) at the Education Alliance at Brown University, educators and service providers from K-12 public schools, higher education, and community-based organizations. From December 2006 through October 2009, a Core Team met to develop this Resource Guide to help Vermont educators deal effectively with complex ELL/Special Education issues.

While many of the key resources and promising practices described in this document address the broader educational needs of ELLs, the *main focus* of the Resource Guide is to help teachers and administrators better serve the subset of ELLs with disabilities. The Guide builds and expands upon an earlier document, *Serving Students Learning English as A Second Language: A Guide for Vermont Educators*, published in 1994 by the Vermont Department of Education, http://education.vermont.gov/new/html/pgm_esl/guide_94.html. That document outlines essential legal requirements and basic components for setting up language and academic support services for ELLs. This new Guide can be used as a reference and tool for engaging administrators, educators, and parents in a collaborative, multidisciplinary team process for distinguishing between learning difficulties that accompany the natural stages of second language acquisition and those that are caused by disabilities.

Intended Outcomes

Identifying, assessing, and differentiating instruction for ELLs with disabilities require educators to understand first the complex interrelationships of language, culture, and school factors that impact the learning and behavior of all ELL students and take these into account when developing additional programs and accommodations based on their unique characteristics and needs.

This Guide has been designed with the premise that teachers, specialists, administrators, and parents will be best prepared to make appropriate referrals, design effective assessments, and make effective instructional decisions by collaboratively developing and implementing a knowledge base that meet the needs of ELLs with special needs.

This Guide is intended to achieve the following:

- Educators, policy makers, and parents will increase their awareness of issues and legal requirements related to the identification, instruction, and assessment of ELLs with or without disabilities;
- Through collaboration and a shared knowledge base covering cultural considerations, second language acquisition, academic language proficiency, and teaching and learning strategies, educators, policy makers and parents will develop a shared responsibility for outcomes for ELLs;
- Educators and parents will be able to make informed decisions about referrals, assessments, and instructional practices; these will lead to early intervention when appropriate and prevent inappropriate placement in special education due to lack of language and academic supports and programs;
- State and local education agencies can use the Guide as a reference for developing and implementing non-discriminatory policies and procedures (as well as for planning sustained professional development, such as study groups) related to ELL/Special Education identification, evaluation, instruction, assessment, program development, and

progress-monitoring. These approaches should reduce the incidence of disproportionate, i.e., over- and under-representation of ELLs, in special education; and

- Teacher preparation programs of institutions of higher education will align their curricula across general and special education in relation to the needs of ELL students.

II. Essential Sources for Providing High Quality Services For English Language Learners

One of the most important steps in preventing *inappropriate* referrals of English Language Learners (ELLs) to special education is to ensure first that instructional strategies known to be effective for ELLs are used and that teachers and administrators "create an environment that reflects a philosophy that all students can learn and that educators are responsible for seeing that they do." (Ortiz, A., 2007) The purpose of this chapter is to introduce available resources and background information to help readers understand what constitutes good curriculum, instruction, and assessment for ELLs.

This chapter includes references or links to a selection of research-based websites, products, and articles for learning about the standards, assessments, instructional practices and strategies that make it possible for ELLs to develop the language proficiency and academic skills necessary to succeed in school. The sources are:

- The ELL home page at the Vermont Department of Education's website, http://education.vermont.gov/new/html/pgm_esl.html

  Resources and updates about ELL identification and assessment, data collection, accountability, grant funding and professional development opportunities.

- *Serving Students Learning English as a Second Language: A Guide for Vermont Educators,* Vermont Department of Education, available for download on ELL home page.

  This document provides basic information for planning, developing, and implementing a policy and procedures for identification, initial screening, language proficiency assessments, appropriate instructional services, progress monitoring, and program evaluation. It reflects federal Title VI civil rights policy and legal requirements for educating ELLs in grades K-12. Note: Sections of the Guide are currently being updated.

- The WIDA (World-Class Instructional Design and Assessment) Consortium's website, including links to many tools and topics, http://www.wida.us

  Since 2003, Vermont has been an active member of the WIDA Consortium (a group of 22 states accounting for over 800,000 K-12 ELLs), dedicated to the design and implementation of high standards and equitable educational opportunities for ELLs that are reliable and reflective of best instruction and assessment.

  Resources for WIDA member states include K-12 ELP standards, assessments, research, technical reports, and professional development opportunities. A chart on the last page of this chapter gives links for specific topics on the website.

- The National Clearinghouse for English Language Acquisition and Language Instruction Educational Program (NCELA) website, funded by the Office of English Language Acquisition at the U.S. Department of Education, http://www.ncela.gwu.edu/

  The NCELA website contains an extensive collection of resources and guides on a wide array of subjects related to the education of ELLs, e.g., program types, legislation,

literacy development, language proficiency assessment, ELLs in Special Education, practice and policy.

This website is the best source for anyone seeking updated information about the federal No Child Left Behind (NCLB) legislation. Specifically, it covers changes in state and local funding, English language proficiency standards, state language proficiency assessments, academic assessments, and accountability provisions for improving the language proficiency and academic achievement of ELLs in K-12 schools. These elements are included in the Title III (English Language Acquisition) and Title I sections of the law.

- The Center for Applied Linguistics (CAL) website, http://www.cal.org/

  CAL is a partner in the WIDA Consortium. The Center developed and maintains assessments used annually to measure the English language proficiency of ELLs in Grades K-12 as mandated by NCLB legislation. CAL plays a lead role for the WIDA Consortium in developing items and analyzing item performance for the *ACCESS for ELLs*® test. CAL also supports test development and administration through innovative computer-based training classes for item writers and test administrators.

  CAL's website includes information about a wide range of projects, publications, and resources for professionals working with ELLs in Pre-K-Grade 12 programs. Topics include sheltered instruction, literacy education, assessment, language and cultural backgrounds, and refugee integration.

  With support from WIDA, CAL designed a professional development course called CLIMBS™ (Content and Language Integration as a Means of Bridging Success). It focuses on helping teachers of English language learners interweave the WIDA K-12 English language development standards into content lessons by scaffolding instruction to help ELLs at varying proficiency levels apply new skills and strategies independently. Vermont was the site for the spring 2008 pilot of the CLIMBS Course, co-sponsored by the Vermont Department of Education and the Vermont Consortium on Language & Academics (VCLA) at St. Michael's College. Vermont is working to build capacity for future CLIMBS™ opportunities to be offered to schools/districts.

  CAL is also working with WIDA on an Enhanced Assessment Grant (EAG) to develop a computer-based test of science and math for students with low levels of English proficiency. This alternative assessment, *ONPAR,* will allow students to demonstrate their content knowledge with a test instrument sensitive to their lower level of proficiency in English.

- *The Teacher's Guide to Diversity: Building a Knowledge Base*, including the Center for Research on Excellence, Diversity, and Education (CREDE) Standards and Teacher Indicators, which can be found at: http://www.alliance.brown.edu/pubs/teach_guide_diversity/

  This publication takes a critical look at the relationships of human development, culture, cognition, and language through a multicultural lens. It invites teachers, teacher educators, and professional developers to examine their own beliefs, perceptions,

behaviors, and educational practices in relation to diversity. Volume 1, pp. 79-84, includes the CREDE language learning standards for "moving from principles to action."

- *Ensuring Academic Success for English Language Learners* (2004), available at: http://lmri.ucsb.edu/publications/newsletters/v15n4.pdf

  This publication provides an overview of research and knowledge that educators can use to create schools in which ELLs thrive and achieve at high levels.

- *English Language Learners (ELLs) with Disabilities,* available at: http://www.projectforum.org/docs/ells.pdf

  This document provides a brief synthesis of research on and information about ELLs with disabilities; it can be downloaded from the Project Forum web address.

- *Educating English Language Learners: Implementing Instructional Practices,* available at the National Council of La Raza's website: http://www.nclr.org/content/publications/detail/36199

  This publication is part of a three-guide series created to help schools develop their capacity to provide appropriate curricula, instruction, and assessment for English language learners (ELLs), and increase educators' awareness of how to access relevant resources. The guide is designed for teachers, academic coaches, staff developers, and school leaders, and provides instructional strategies, techniques, and guidelines to engage ELLs and other diverse learners.

Resource

Ortiz, A. (2007) *English Language Learners with Special Education Needs: Promising Practices for Early Intervention, Assessment, and Instruction*; Presentation at the Department of Special Education, University of Texas at Austin.

As indicated in the WIDA section on 7, the following paragraphs and links describe valuable material available to educators.

Topics	WIDA Consortium Website Links
Home page for the WIDA website	http://www.wida.us
WIDA English Language Proficiency Standards and Resource Guide, 2007 Edition are now available online and in print. The new edition combines the Formative and Summative frameworks, and integrates the elements of the Formative and Summative frameworks.	http://www.wida.us/standards/elp.aspx
Overview of Assessment Tools	http://www.wida.us/assessment/index.aspx
ACCESS for ELLs® stands for Assessing Comprehension and Communication in English State-to-State for English Language Learners. This large-scale test addresses the academic English language proficiency (ELP) standards at the core of the WIDA Consortium's approach to instructing and evaluating the progress of English language learners (ELLs). This section of the WIDA site gives an overview of the test's development, information on its score reports, and guidelines for accommodating disabilities.	http://www.wida.us/assessment/ACCESS/index.aspx
W-APT™ stands for the WIDA-ACCESS Placement Test. This assessment tool, known as the "screener," is used by educators to measure the English language proficiency of students who have recently arrived in the U.S. or in a particular district. It can help to determine whether or not a student is in need of English language instructional services, and if so, at what level.	http://www.wida.us/assessment/w-apt/index.aspx
WIDA MODEL™ Also developed from the WIDA ELP Standards, the WIDA MODEL series of assessments can serve multiple purposes to provide additional information about students' language development. The assessments may aid in the identification and placement of English language learners in place of using the W-APT™ for this purpose, or may be used for interim benchmark evaluation later in the school year. Unlike the Kindergarten W-APT, the WIDA MODEL for Kindergarten results in proficiency levels scores of 1-6 on the WIDA scale. The Grades 1-12 WIDA MODEL tests will contain both a screener version and a full version allowing the test to be administered twice in the same year. Grades K-5 of the WIDA MODEL assessments are currently available and Grades 6-12 will complete the series in 2011.	http://www.wida.us/assessment/MODEL/index.aspx
Test Administrator Training offers a variety of multimedia training materials related to each of the WIDA assessment tools. This page is designed to assist district facilitators and state testing coordinators in planning local training sessions for educators.	http://www.wida.us/assessment/ACCESS/index.aspx
WIDA Professional Development Offerings related to ELP standards, assessment, data analysis, curriculum, and instruction	http://www.wida.us/professionalDev/index.aspx
Vermont-Specific Information for Consortium Members: Click on Vermont's name in the green menu on the left side of this page to see: • Contact information • Vermont's test administration guidelines • Important dates • Professional development opportunities in your area • Miscellaneous Information	http://www.wida.us/states/VT/index.aspx

III. Overview of Federal and State Requirements

School reforms associated with the *No Child Left Behind Act of 2001 (NCLBA)* have emphasized educators' shared responsibility for the academic achievement of every student. Although NCLBA has brought this issue of responsibility to the fore in current times, the legal foundation for this shared responsibility has been in place regarding ELLs since 1964, with the passage of the federal Civil Rights Act. This chapter offers a brief outline of significant federal and state legal requirements.

Details of the legislation and landmark legal cases that form this foundation are well-described in both the Vermont Department of Education guide "Serving Students Learning English as a Second Language" (pages 1-16), as well as in the Colorado Department of Education manual "Special Education for Culturally and Linguistically Diverse Students" (pages 1-4), included in this section. In addition to the legislation that laid the foundation for the 1975 *Education for All Handicapped Children Act,* there is another federal source and three court decisions specific to ELLs:

- A 1970 memorandum on Title VI of the 1964 Civil Rights Act made clear that when inability to speak and comprehend English excludes ELLs from effective participation in the education offered them, "the school district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students."

- In 1974, the U. S. Supreme Court decided the case of *Lau v. Nichols (1974),* a class-action suit, filed by parents of Chinese speaking public school students in San Francisco, which claimed that their children were not given equal educational opportunities because of the linguistic barriers they faced. From this court case and several subsequent ones, three specific guidelines need to be met by all school districts:

    1. All ELL students need to be identified and assessed throughout their educational program;
    2. A program of specific instruction, based on sound educational research, needs to be provided for these students, implemented effectively, and evaluated after a trial period; and
    3. Parents with limited English proficiency must have all documents that are sent home translated into their native language.

    The Court made it clear that a school district must not simply provide the same (or equal) resources for all students, but must, instead, provide equitable education and access to opportunities. "There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum, for students who do not understand English are effectively foreclosed from any meaningful education." *Lau v. Nichols* was a powerful impetus for the passage of the *Equal Education Opportunity Act. (EEOA 1974)*

- In 1981, the U. S. Fifth Circuit Court of Appeals decided the case of *Castañeda v. Pickard.* The decision established a three-prong test to determine whether an educational program was in compliance with the *Equal Opportunity Education Act*. To qualify as appropriate education for ELLs, a program must be:

1. Based on sound educational theory that is recognized by experts in the field;
2. Implemented effectively with adequate resources and personnel; and
3. Evaluated and proven effective in teaching English, and also in providing equitable access to the full curriculum of math, science, social studies and language arts.

Since 1981, the *"Castañeda"* test has become the compliance standard in the U.S. Office of Civil Rights (OCR) guidelines for quality programming for ELLs. For more specific guidance, please refer to the 1991 OCR Policy Guidance on adopting the *Castañeda* standard. http://www2.ed.gov/about/offices/list/ocr/docs/lau1991.html

- In 1982, in *Plyer v. Doe*, the U.S. Supreme Court ruled that:

1. Public schools were prohibited from denying immigrant students access to K-12 public education;
2. Immigrant students residing in the United States cannot be denied resident status by public schools solely on the basis of their immigration status; and
3. Making inquiries that might expose the undocumented status of a student or the parents is prohibited.

The Individuals with Disabilities Education Act (IDEA, as amended in 1997) introduced guidelines and requirements for determining eligibility for special education for ELLs. These included assessments and other evaluation materials being provided "in the child's native language or other mode of communication." It also addressed notification to parents in their native language "unless it is clearly not feasible to do so."

IDEA was amended as the Individuals with Disabilities Education Improvement Act (IDEIA 2004). Changes relevant to English Language Learners include:

- State education agencies (SEAs) are required to collect, examine and report to U.S. DOE data reflecting disproportionality (over- or under-representation of minorities in special education or within specific disability categories), when such identification is "due to inappropriate identification;"
- SEAs must collect and review data to determine if a "significant disproportionality" exists with respect to identification, placement, and type of disciplinary actions;
- Local Education Agencies (LEAs) found to have such "significant disproportionality" of racial and ethnic minority students must use the maximum 15% of their Part B funding to provide coordinated early intervention services for children in the LEA, but not exclusively children in the over-identified group;
- LEAs may use up to 15% of IDEA Part B funds for services for at-risk students who have not been identified as needing special education;
- Professional development to train teachers in determining if an ELL has a learning disability; and
- Funding guidelines for community organizations to meet the needs of low-income parents and parents of English Language Learners.

The Vermont Department of Education Special Education Regulations (March 2010) include reference to the use of the family's native language regarding: child find (2360.2(1): consent (2365.1.3(b)(1); IFSP meetings (2360.5.4(a)(3); IEP meetings (2363.5(c); parental rights (2365.1.1(h)(3); and test administration (2362.2.3(b)(4). These regulations follow the requirements of IDEIA, 2004.
http://education.vermont.gov/new/html/pgm_sped/policy/monitoring.html

Regarding students who are found to have a disability, but do not meet the requirements for an IEP, students should be considered for accommodations provided through Section 504 of the Rehabilitation Act of 1973.

The responsibility of schools today has shifted as a result of the above-mentioned court decisions, new laws, and regulations. School districts must provide both effective language development programs for students learning English and appropriately differentiated classroom instruction that provides access to essential content information even before English proficiency is achieved. Understanding these two criteria is essential when analyzing the situation of an ELL whose academic achievement does not meet expectations. If the educational program provided the student has not met criteria in both language development and accommodated content instruction, a student's inability to meet standards could reasonably be attributed to school-related factors rather than to the student's abilities.

The screening process and the associated flow chart are included in this guide under the Educational Support Team Process.

Resources

The Center for Law and Education: http://www.cleweb.org/content/about-center-law-and-education

The New England Equity Assistance Center (NEEAC):
http://neeac.alliance.brown.edu/ourwork_what.shtml

Vermont Department of Education: http://education.vermont.gov/

US Department of Education: http://www.ed.gov/policy/speced/guid/idea/idea2004.html

IV. Educational Support Systems (ESS), Educational Support Teams (EST), the EST Process for English Language Learners, and Special Education

This chapter provides legislative and policy background on the Educational Support Systems (ESS) and Educational Support Teams (ESTs), describes the role of ESTs, and their broad goals, membership, and effective elements. In addition, it relates the broad goals to specific services to ELLs, and provides a sample EST process, with concrete steps to be taken by staff and parents. Lastly, it answers frequently asked questions.

Background on Educational Support Teams (ESTs)

In 1990, the Vermont Legislature passed Act 230, which required all schools to establish an instructional support system (ISS) to ensure the early identification of students at risk and to develop the capacity to meet their needs. The legislation called on schools to establish an instructional support team (IST) for collaborative problem-solving to assist teachers. It provided professional development grants to help teachers meet the academic needs of students who require additional assistance in order to succeed *in the general education environment* rather than providing services outside the classroom.

In 1996, Act 230 was reauthorized as Act 157. The revised statute required schools to develop a comprehensive educational support system (ESS) with the capacity to provide a range of social, academic and behavioral supports. Act 157 extended the focus beyond academics to include other factors that may have a detrimental impact on students' learning (e.g., nutrition, mental health, and challenging life circumstances). As part of the ESS, each school was required to have an education support team (EST). Instructional support teams, therefore, became ESTs, to reflect this broader focus. ESTs were required to modify their previous approach to supporting students, to address factors other than academics.

Role of the EST

The EST acts as a "think tank." It helps solve the puzzle of what is going on for a student and determines what he/she might need to be a more successful learner. The EST focuses on what school staff can do differently by changing teaching strategies, adjusting the environment, and/or altering expectations to improve a student's learning. The team screens referrals to determine what classroom accommodations and remedial services have already been tried. It then assists teachers in planning and providing services and accommodations to students who need additional classroom supports. The job of an EST is to review and revise these interventions and monitor their effectiveness. The team also provides timely referrals for evaluation for special education eligibility where warranted and maintains a written record of its actions.

Broad Goals of the EST

The broad goals of the EST are to:

1. Gather resources to support students in the teaching-learning environment (Ortiz, 2007)
2. Create a support system for school staff
3. Help staff, parents, and students solve problems
4. Provide professional development for school staff
5. Identify problems of the school and ways to solve them
6. Provide information for the school's action planning

EST Membership

The EST's membership should be broad enough to function effectively as a "think tank," but small enough to be manageable. EST members should be good problem solvers who have a strong working knowledge of a variety of instructional strategies and curricula.

Membership should include staff with diverse expertise who are involved with the student, i.e., classroom and special education teachers, specialists, administrators, nurses, paraprofessionals, and guidance counselors. Collectively, they contribute their knowledge of child development, school and community resources, and parental involvement.

When the student in question is an ELL, the EST should also include staff familiar with the student's second language development, cultural background, prior educational history, and academic knowledge and skills. If the student is receiving ESL services, his/her teacher should be part of the team. A licensed ELL teacher brings a valuable perspective and has the ability to choose and implement best practices for supporting the linguistic, cultural, and academic needs of ELLs, e.g., how to shelter instruction for ELLs in the classroom. Every effort should be made to identify others with knowledge of the student's unique, linguistic, cultural, educational and experiential background. In many cases, parents are the best source for this information and should be included. For parents with limited English proficiency, interpreters may be required to facilitate communication and ensure that parents understand the issues and assist in developing the student's plan.

Successful EST Teams

- Have strong leadership and involve the principal in a meaningful way
- Seek a variety of expertise and staff positions on the team
- Maintain effective organizational procedures
- Solve problems collaboratively
- Ensure positive group dynamics
- Periodically evaluate the team's effectiveness
- Honor success
- Make it easy and effective for staff to utilize the team
- Provide ongoing training and incentives for team members

Further general information about EST's can be found at
http://education.vermont.gov/new/html/pgm_ess.html

Implications for English Language Learners

The role of the EST is to assist teachers in developing plans to support *all* students who are experiencing some difficulty learning in the classroom. The purpose of the following table is to recommend how the EST process can be adapted to meet the needs of culturally and linguistically diverse students. It is important to emphasize, however, that schools/districts need to have in place a policy and procedures ensuring that ELLs receive the core language and academic support services required by law.

The following table describes the implications for ELLs and schools of each Act 157 EST goal.

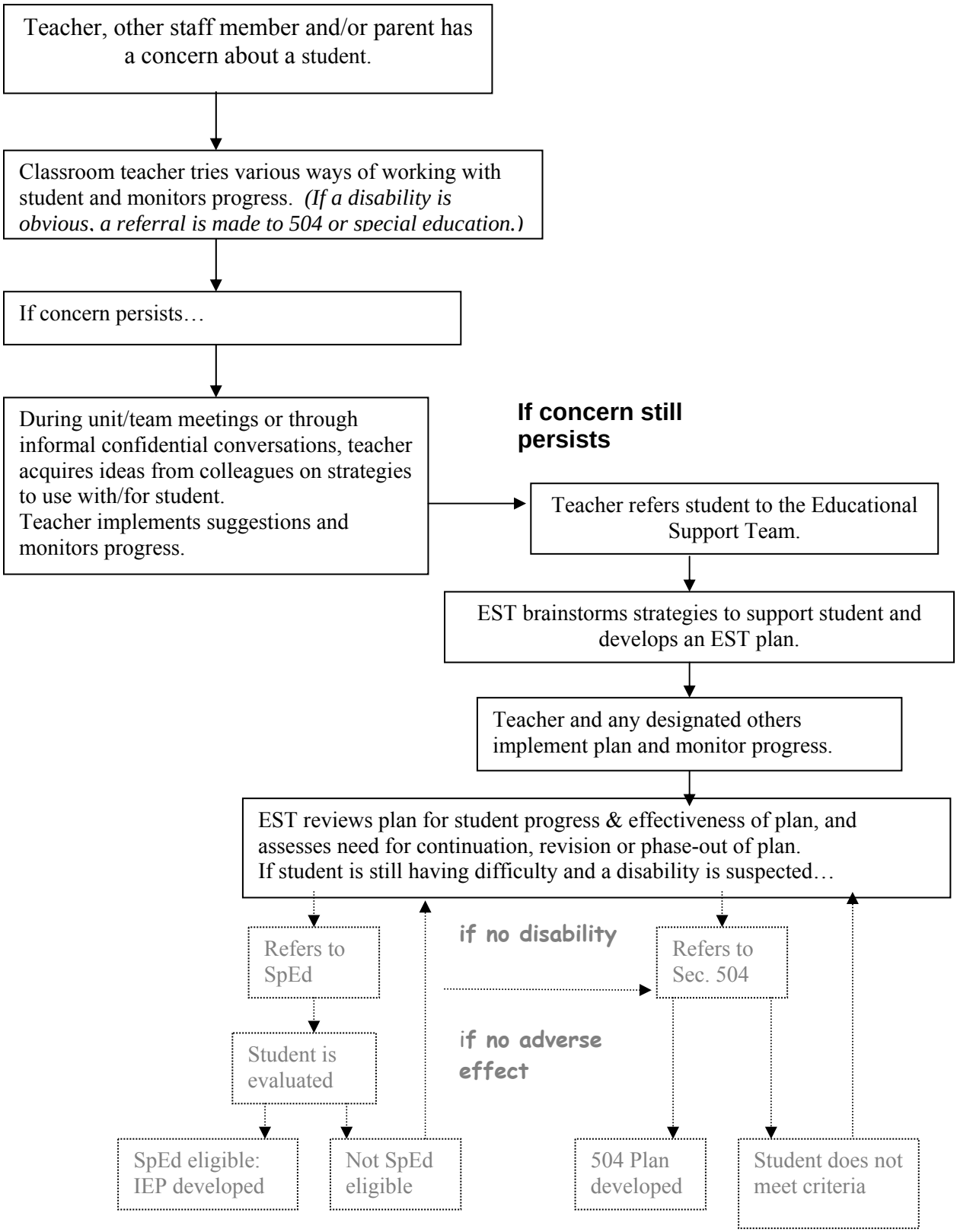
Act 157 EST Goals	Implications for ELLs and Schools
1. Gather resources to support students in the teaching-learning environment	ELLs in Vermont typically attend regular classes *before* they have acquired sufficient academic English to work independently in the content areas. Title VI of the Civil Rights Act requires that ELLs placed in grade-level classes be provided equal access to education through language and academic supports by qualified staff until they are able to participate meaningfully at the level of their peers. The unique linguistic and cultural characteristics of the individual ELL, prior schooling, and other variables influencing performance should be considered when targeting both academic and non-academic supports for ELLs (Ortiz, 2007). Academic supports, including a variety of instructional strategies, should be developed to meet the individual needs of ELLs who are experiencing some difficulty learning in the classroom. These supports will vary from school to school. The unique needs of individual ELLs require that school personnel become knowledgeable about cultural and linguistic diversity if they have no prior training or experience in this area. ESTs will have to think creatively and consult with ELL professionals who know of resources for students with needs the schools may never have needed to address before. For example, individuals with skills in interpreting and translation and/or specific knowledge of the student's language and culture might be needed to help with an informal assessment of a student's prior schooling and background knowledge. Existing school and community resources of the Educational Support System (ESS) may need to be expanded.
2. Create a support system for school staff	In order to create a support system for staff that is responsive to the linguistic and cultural needs of ELLs from highly diverse backgrounds, school administrators and EST members must recognize the importance of school personnel gaining a shared knowledge base about cultural and linguistic diversity. The EST provides a forum for identifying strategies for helping students, including how to relate content and instructional strategies to the linguistic and cultural backgrounds of English Language Learners. Schools or districts with licensed ELL teachers should be encouraged to collaborate and share their experience and training with school personnel involved with the student. They can identify school and community resources, brainstorm strategies for scaffolding instruction, develop culturally and linguistically responsive individualized plans, and implement supports needed in the classroom. The ELL teacher can support classroom teachers by providing current information about the ELL's current levels of proficiency in academic English in all four language domains—listening, speaking, reading, and writing. S/he can also collaborate with the teacher by differentiating instruction for level of language proficiency, offering suggestions for lesson accommodations, and providing teaching supports such as modeling, feedback or questioning, and using sensory, graphic or interactive supports (WIDA). Examples of curriculum adjustments include helping the student to make connections between what they are learning and their prior knowledge, explicitly teaching cultural capital (norms, behaviors, and attitudes), and supporting and valuing the experiences and information students have learned within their cultural group. Many schools have found it beneficial to develop a guide to the continuum of available educational supports, which lists and defines all of the internal and external resources available to support students and their families, including those specific to culturally and linguistically diverse students.

Act 157 EST Goals	Implications for ELLs and Schools
3. Help staff, parents, and students solve problems	Given the goal of creating an environment for collaborative problem solving, the EST needs to foster the common goal of improving teaching and learning for the student. Staff, parents, and student(s) all contribute to understanding the ELL's linguistic, cultural, and educational background and needs—the prerequisite for developing an individualized student plan with support for implementation and follow-up. The list at the end of this section, *Factors Influencing ELL Performance***,** provides a framework for EST members to use in carefully considering the classroom context of teaching and learning for the ELL referred to the EST (e.g., teaching style, classroom arrangement and management, and peer relations). It provides a starting point for identifying several factors affecting performance, determining the need for further information-gathering or formative assessments, and choosing priorities in the individualized student plan to improve teaching and learning for the ELL. ESTs need to meet regularly in order to assist teachers in developing student plans and to support the implementation of recommended instructional strategies, accommodations, and curriculum adjustments in their grade level classes. **Parents' Involvement** Parental involvement is just as important for an ELL as it is for every other student. For information about developing productive relationships with families from diverse backgrounds, the following website is helpful http://www.nccrest.org/publications/briefs.html The Office of English Language Acquisition (OELA) website http://www.ncela.gwu.edu offers specific strategies for involving ELL families. Often, involving parents at the school or district level will require the use of cultural mediators, translators, and interpreters for meetings, newsletters and documents routinely sent home. For a discussion on this topic, see: http://www.cde.state.co.us/cdesped/download/pdf/FF-CLD-CultMed402.pdf
4. Provide professional development for school staff	Referral of ELLs to ESTs means that school staff who have little or no experience with or training for working with culturally and linguistically diverse students will need to gain new knowledge and skills if they want to improve teaching and learning for ELLs. The EST as a group can consult the ELL teacher(s) on staff to plan for technical assistance and professional development which will meet needs they identify in working with ELLs in grade level classes.
5. Identify problems of the school and ways to solve them	Research shows that a critical component of ELL success is school environment. Schools must be places where ELLs are welcomed, faculty has an understanding of their culture(s), and they're safe from harassment based on racial and ethnic discrimination. ELLs must be placed in classrooms with teachers who are qualified to adapt content instruction for ELLs and able to provide grade-level, cognitively challenging instruction to ELLs of varying levels of linguistic proficiency.

Act 157 EST Goals	Implications for ELLs and Schools
6. Provide information for the school's action planning	Based on the team's experience with developing and implementing individualized student plans for ELLs, a school's EST will determine the effectiveness of these plans by collecting and analyzing data about the educational progress of ELLs. The team can use the data and identified trends/patterns of ELLs' needs and performance in the school to inform the Action Plan and make recommendations for *systemic* interventions and professional development. Three valuable resources for an EST are: *1. Equity in Special Education Placement: A School Self-Assessment Guide for Culturally Responsive Practice,* Heraldo V. Richards, Alfredo J. Artiles, Janette Klingner, and Ayanna Brown (2005) NCCREST This resource helps schools to conduct a self-assessment of their programs and practices in five domains: (a) School Governance, Organization, Policy and Climate (b) Family Involvement (c) Curriculum (d) Organization of Learning, and (e) Special Education Referral Process and Programs. 2. *Technical Assistance and Professional Development Planning Guide* This guide structures a five step process for the development of technical assistance and professional development plans for state education agencies (SEAs) and local education agencies (LEAs). The purpose of the guide is to ensure consistency in designing high quality technical assistance and professional development. *3. Preventing Disproportionality by Strengthening District Policies and Procedures – An Assessment and Strategic Planning Process* The above tools can be found at : http://www.nccrest.org/publications/tools/assessment.html

The **Sample Educational Support Team Process chart** on the next page outlines steps taken in the EST process. While the chart does not refer to ELLs, the text in the boxes on the following three pages covers the EST Process for ELLs.

Sample Educational Support Team Process



EST Process for ELLs

The following boxes describe EST steps, taken from the Sample Educational Support Team Process flow chart, in relation to an EST referral for an ELL student.

Teacher has a concern about a student

- Review Steps 1, 2 & 3 in the *Recommended Steps for Serving English as a Second Language (ESL) Students* in the 1994 publication *Serving Students Learning English As A Second Language: A Guide for Vermont Educators* http://education.vermont.gov/new/pdfdoc/pgm_esl/guide_94.pdf
- Review Appendix F, *Screening Form for NELB Students* in the same publication http://education.vermont.gov/new/pdfdoc/pgm_esl/guide_94.pdf
- Refer to Parental Engagement section of this 2010 Resource Guide (p. 26)

Classroom teacher tries various ways of working with the student

- Review Appendix H, *Individualized Instructional Plan* in the 1994 publication *Serving Students Learning English As A Second Language: A Guide for Vermont Educators* http://education.vermont.gov/new/pdfdoc/pgm_esl/guide_94.pdf
- Review instructional plan with ESL professional for support with implementation
- Refer to Instructional Strategies Section of this resource guide (p. 30)
- Refer to Parental Engagement section of this 2010 Resource Guide

Team meetings, consulting peers and parent contact

- Continue consulting ESL professional
- Complete Appendix G in the same 1994 publication *Serving Students Learning English As A Second Language: A Guide for Vermont Educators* http://education.vermont.gov/new/pdfdoc/pgm_esl/guide_94.pdf
- Review Instructional Strategies section of this resource guide
- Consult with peers for additional instructional strategies
- Refer to Parental Engagement section of this 2010 Resource Guide

Teacher refers student to the EST

- Completes EST referral packet
- Clearly states concerns
- Includes data from classroom teacher and ESL professional to support concerns, including evidence based data, goals, measures and outcomes related to the area of concern
- Includes documents collected in the 1994 publication
- Completes any other responsibilities their school identifies for the referring educator in the EST referral process
- Refers to Parental Engagement section of this Resource Guide
- Invites parent and interpreter to the EST meeting

EST brainstorms strategies

- Refer to Factors Influencing ELL Performance at the end of this EST section to brainstorm the areas of possible concern
- Refer to Instructional Strategies section of this Resource Guide to brainstorm effective strategies and interventions and WIDA resources (p. 10)
- Determine what success of the strategy/intervention looks like, how long to implement and how to measure effectiveness
- Determine who will be responsible for implementing the strategies/interventions and arrange for a follow-up mentor to support implementation
- Refer to Parental Engagement section of this Resource Guide
- Determine a follow-up meeting date

Teachers and others implement plan

- Disseminate plan to parents and those responsible for implementation
- Follow-up mentor supports implementation
- Continue to monitor progress
- Refer to the Parental Engagement section of this Resource Guide

EST reviews plan for effectiveness

- Conduct follow-up meeting
- Review initial documentation
- Review strategies/interventions implemented and their effectiveness (review the data)
- Review to Factors Influencing ELL Performance at the end of EST section of this Resource Guide
- Determine next steps (continue with plan, develop new strategies, interventions, and resources, or discontinue plan)
- Reviews progress on English language development

If a disability is suspected, refer to special education

- If all instructional strategies and resources have been implemented with fidelity (e.g., with sufficient intensity and duration) and there continues to be inadequate progress, a disability may be suspected; a referral to special education is appropriate
- Refer to Making Appropriate Referrals section of this Resource Guide (p. 34)
- Refer to Conducting Evaluations for ELL section of this Resource Guide (p. 36)
- Refer to Instructional Strategies for ELL with Disabilities section of this Resource Guide (p. 30)

To understand more fully the special education referral process in relation to ELLs, see Chapter VII of this Resource Guide, (p. 34)

Frequently Asked Questions about Educational Support Teams (ESTs) and Educational Support Systems (ESS)

What is the job of an EST?

Its job is to act as a "think tank" and help solve the puzzle of what is going on for a student and determine what s/he might need to be more successful. It is also the job of an EST to review, revise and monitor the effectiveness of interventions. The focus is on what school staff can do differently by changing strategies, adjusting the environment, and differentiating the instruction, etc.

Based on the team's experience with individual referrals, a school's EST is also able to identify trends and patterns of student's needs in the school. The team can use the information to inform the school's Action Plan with data and recommendations for systemic interventions.

Who should be on an EST?

The EST's membership should be broad enough to be supportive of its "think tank" role, but small enough to be manageable. Membership could include classroom and special education teachers, specialists, administrators, nurses, paraprofessionals, and guidance counselors. When the team is assisting a teacher working with an ELL, the ESL teacher should be included on the team.

What knowledge and training should EST members have?

EST members should be good problem solvers who have a strong working knowledge of a variety of instructional strategies, curricular modifications, and resources available in and outside the school. The team should include educators who have been trained in Sheltered Instruction for ELLs and have knowledge about second language development and cultural competence.

What types of supports might be provided through an ESS?

Examples of supports are school breakfast and lunch programs, after school programs, homework support, remedial reading and math, mentoring programs, and student assistance counselors, as well as eligibility for specific programs such as special education, section 504 or Title 1 supports for eligible students.

Do all schools have the same programs and supports?

Supports are developed in response to the needs of students and their families and vary from school to school. For example, a school with a high immigrant population may need an English as a second language program, while a school that is geographically distant from services like mental health agencies or the Department for Children and Families (DCF) could benefit from having an on-site therapist or home-school coordinator. Many schools have found it beneficial to develop a guide to the continuum of available educational supports, which lists and defines all of the internal and external resources available to support students and their families and is translated into other languages.

How does the federal No Child Left Behind Act of 2001 (NCLB) relate to the ESS?

The goals of both NCLB and the ESS are that all students experience success as learners, achieve standards and graduate from high school. NCLB further requires that all students be taught by qualified teachers and paraprofessionals, that student learning is assessed more frequently than under prior state law, and that schools will be held accountable for student achievement in attaining these goals.

What is the relationship between ESS, general education, ESL services, and referrals to special education?

The ESS is designed to increase the ability of the general education system to meet the needs of all students. The learning challenges faced by most ELLs who have not yet reached proficiency in academic English can be handled through accommodations to general classroom instruction, in conjunction with ESL services.

ELL students are sometimes referred for special education evaluations when school staff has not yet gathered sufficient information and data showing that the student may have a disability. When an ELL is referred for special education, it is necessary to use caution so as not to discriminate because of language, cultural differences, and life experiences.

The Factors Influencing ELL Performance are taken from Garcia, S. B., & Ortiz, A. A. (1988). *Preventing Inappropriate Referrals of Language Minority Students to Special Education.*

Teacher

- Qualifications – Basic knowledge of linguistics affecting ELL performance and cultural competency
- Experience
- "Track record"
- Teaching style
- Expectations
- Perceptions
- Instructional management skills
- Behavior management skills

Instruction

- Motivation
- Sequence of instruction (teach and re-teach using different approaches, use prerequisite skills)
- Language of instruction
- Effective teaching of behaviors
- Coordination with other programs
- Differentiated instruction
- Formative assessment

Exposure to Curriculum

- Continuity of exposure
- Domains
- Scope and sequence
- Student's entry level
- Basic skills
- Higher cognitive skills
- Mastery
- Practice
- Cultural relevance

Student

- Experiential and educational background
- Language proficiency
- Cultural characteristics
- Cognitive/learning style
- Socioeconomic status
- Locus of control/attribution
- Modes of communication
- Self-concept
- Motivation

Evaluation of Instruction

- Standards
- On-going data collection
- Modification based on evaluation
- Staff development

References

The Colorado Department of Education, Fast Facts Special Education Services Unit, March 2002. http://www.cde.state.co.us/cdesped/FastFactsIndex.asp

Garcia, S. B., & Ortiz, A. A. (1988). *Preventing Inappropriate Referrals of Language Minority Students to Special Education. Occasional Papers in Bilingual Education*. New Focus No. 5. Silver Spring, MD: National Clearinghouse for Bilingual Education. (ERIC Document Reproduction Service, No. ED 309 591)

Resource

All of this and more information on ESTs can be found at:
http://education.vermont.gov/new/html/pgm_ess.html

V. Parental Engagement for English Language Learners (ELLs)

This chapter offers a range of suggestions and resources that will encourage and facilitate effective communication between families of ELLs and schools. Also included are questions and suggestions on ways to reach out to and support parents of ELLs.

As the demographics of Vermont change with the arrival of people from many different ethnic and cultural backgrounds, local schools and school districts face the challenge of communicating with parents in meaningful and understandable ways. In an effort to help parents make informed decisions, inviting them to become part of their child's educational process and providing them with helpful and necessary information along the way is critical, and will help ensure ELLs' success in school.

Research shows that when parents are involved with their child's education, from what ever economic or social background, students do better in school (Eleanor Lynch and Marci Hanson; *Developing Cross-Cultural Competence, A Guide for Working with Children and Their Families*, 2004, Brookes Publishing Co.). Schools are required to effectively inform parents of ELLs about how they can be involved in their children's education and actively help their children learn English, while their children also meet rigorous academic standards. It is always important to remember that parental involvement may differ depending on various ethnic, linguistic and cultural factors. When a child is first enrolled in school, meeting the family provides a great opportunity to avoid any misunderstandings or potential barriers by forming a relationship with the family. Because parents are their child's "first teachers" and play a vital role supporting their child's education, it is essential to have collaboration between schools and parents.

Specific questions to guide the process:

- Do we understand the parents' educational background and the educational system of the parents' country of origin?
- Are we providing information to parents about the U.S. educational system? Do they understand the educational process and their role? Are we providing time and opportunity for answering their questions?
- Are we making it clear to parents why we want them to be involved?
- Are we providing parents with specific culturally appropriate ways to be involved in the education of their children? Are they clear about their role?
- Are we communicating in a language they understand and in a culturally responsive manner? Are bilingual personnel available for those parents who do not speak English? Are we providing documents, or oral translations of documents, in a language they understand?
- Are we providing childcare, transportation, or alternate meeting days and times, if needed?
- Are we communicating regularly with parents? What forms of communication will be most effective for the family?
- Are we offering culturally appropriate resources to parents? Are we helping them understand and access available community resources?
- Are we helping parents to feel comfortable at meetings?

Parental involvement in schools and in helping with homework may look different for culturally diverse families. In some instances, long work days and language barriers, coupled with a lack of formal education, may create stress for families around homework and school issues. Schools can communicate with families from diverse backgrounds to identify culturally responsive ways to involve parents in their children's education. Ethnographic interviewing may be an effective tool for obtaining information. The purpose is to help the interviewer understand the perspective of the parent's particular culture. Questions cover cultural values, traditions, and attitudes. The questions are broad-based and give participants a chance to describe life in their terms. Descriptive and structural questions enable the interviewer to get a broad-based overview and an understanding of why and how a participant answers a specific question. The ethnographic interview can be found at:
http://www.asha.org/practice/multicultural/issues/casehx.htm

Educators and teachers may find challenges that affect their ability to work effectively with ELL families. Being able to understand a parent's perspective of those challenges is an important tool for working with these families. Actively engaging parents in a conversation and learning together about their environment and resources can help educators to coach them on ways of helping support their child. This process will help develop trust, comfort, and mutual respect, which can further relationship building.

Parents of ELLs, like many other parents, value education highly and are involved in their children's education in many ways, such as setting up a space for their child to do homework, making sure homework gets done, and providing a routine so their child knows their expectation of getting ready for school with a good night's sleep. They also support their child's learning with specific cultural norms that may not be visible to school staff, such as supporting good behavior, reinforcing hard work, and having respect for teachers.

Parent-school collaboration can be impeded by language barriers, school staffs' lack of cultural diversity/sensitivity, knowledge or expertise, and the parents' not being familiar with the Vermont school system. When special education and/or disabilities are present, it can make the process more difficult for all.

Parents may not have sufficient language skills to understand English and school staff may not have sufficient interpretation/translation support to communicate effectively with parents. Both written and oral communication between the two can greatly affect communication, understanding and relationship building. Many adult refugees in Vermont only take ESL for two months and may also arrive with limited or interrupted educational experiences in their country of origin. Relationship building is the key to success when working with families. Having personal contacts with families and working with them regularly, rather than just when there may be a "crisis," fosters effective communication, because trust and comfort have been established. See *Building Collaboration Between Schools and Parents of English Language Learners: Transcending Barriers, Creating Opportunities*, (2008).
http://www.nccrest.org/Briefs/PractitionerBrief_BuildingCollaboration.pdf

When working with parents of ELLs, it's important for schools to consider and respect cultural differences in relation to special education issues. Concepts and ideas under IDEA (Individuals with Disabilities Education Act, 1997, 2004) are often foreign to ELL parents. In some cultures, having a child with a disability may bring shame to the family. In other cultures, having a child with a disability may be considered a spiritual event and lead to the understanding that the

disability was meant to be. It's possible that school professionals may see the parents as being indifferent to their child's disability and to the process that needs to occur to support that child, while in reality, the parents may lack the understanding about the process and how they can support their child.

Many parents of ELLs feel isolated from other parents, which contributes to the lack of home-school communication and an understanding of how the Vermont school system works. When schools and communities build a network of supports for these families, parent-school collaboration thrives. When schools show a commitment to establish collaborative efforts between school and home, parents feel more empowered to support their children with a safety net. Building parent-teacher-community relationships is important for parental engagement and can include parent-teacher organizations, community-based support groups, adult ESL classes, and coordinating social/cultural events with supporting organizations' events. It is strongly recommended that districts provide their bilingual-multicultural liaisons with basic training about the special education process and the human services network in Vermont. This will help them to better understand available services so that they can inform families they serve.

To learn more about the research showing that parents from all cultures are interested in their child's educational success and about ways to reach and support all parents, please see the following resources.

Resources

Barrera, I., Corso, R. M. & McPherson, D. (2003). *Skilled Dialogue, Strategies for Responding to Cultural Diversity in Early Education*. Brookes Publishing Co.

Building Collaboration Between Schools and Parents of English Language Learners: Transcending Barriers, Creating Opportunities (NCCREST). http://nccrest.org/Briefs/PractitionerBrief_BuildingCollaboration.pdf

Burns, Debora A. & Croso, R. M. (2000). *Working with Culturally and Linguistically Diverse Families.* Eric Digest.

Center on School, Family, and Community Partnerships, Joyce L. Epstein, Director, Johns Hopkins University, Baltimore, MD: http://www.csos.jhu.edu/P2000/center.htm

Clark, K., The Case for Structured English Immersion: *Educational Leadership*, April 2009, Vol. 66, No. 7.

Determining Appropriate Referrals of English Language Learners to Special Education: A Self-Assessment Guide for Principals. Council for Exceptional Children (2002).

Kalyantur, M. & Harry, B. (1999). *Culture in Special Education: Building Reciprocal Family-Provider Relationships*. Paul H. Brooke Publishing Co.

Kozleski, E. B., Sobel, D. & Taylor, S.B. (September 2003). Embracing and Building Culturally Responsive Practices. *Multiple Voices for Ethnically Diverse Exceptional Learners. September 2003*, Vol. 6, Issue 1, Council for Exceptional Children.

Lynch, E. & Hanson, M. (2004). *Developing Cross-Cultural Competence: A Guide for Working with Children and Their Families*. Brookes Publishing Co.

Lynch, E. & Hanson, M. (2004). *Understanding Families, Approaches to Diversity, Disability and Risk*. Brookes Publishing Co.

Partnering with Your Child's School*: A Guide for Parents; Information and Resources for Families of Children with Health and/or Mental Health Care Needs* http://www.hscfoundation.org/aboutus/publications/partnering_with_schools_english_guide.pdf

Reaching Out to Diverse Populations: *What Can Schools Do to Foster Family School Connections (SEDL)* http://www.sedl.org/connections/resources/rb/rb5-diverse.pdf

Wagner, C. (2001). *Cultural Reciprocity Aids Collaboration with Families.* Eric Digest.

Zelasko, N. & Antunez, B. (August 2000). *If Your Child Learns in Two Languages.* The George Washington University, Graduate School of Education, Human Development. (English, Spanish, Vietnamese, Chinese, Haitian Creole, Armenian, Korean) http://www.ncela.gwu.edu/files/uploads/9/IfYourChildLearnsInTwoLangs_English.pdf

Vermont Refugee Resettlement Program: http://vrrp.org/

The Association of Africans Living in Vermont: http://www.africansinvermont.org/about.html

Harvard Family Research Project: http://www.gse.harvard.edu/hfrp/

Family Involvement Network of Educators (FINE): http://www.hfrp.org/family-involvement/fine-family-involvement-network-of-educators

VFN: Vermont Family Network: http://www.vermontfamilynetwork.org

National Clearinghouse for English Language Acquisition: http://www.ncela.gwu.edu/

Pacer Center: http://www.Pacer.org

VI. Instructional Strategies for English Language Learners (ELLs)

This chapter includes practical perspectives and valuable resources for providing high quality, culturally and linguistically appropriate instruction, including special education instruction, for English Language Learners.

Best practices in ELL instruction are built on a foundation of:

- culturally responsive teaching and learning environments;
- language and literacy instruction based on the student's stage of bilingual or multilingual language acquisition; and
- sheltered content instruction planned around the student's level of proficiency in academic English.

Without these elements, ELLs find themselves in a learning environment described as "submersion." This means that educators are unaware of the specific needs of ELLs and may unreasonably believe that exposure to incomprehensible content will somehow lead to learning. The diagram at the end of this section highlights the differences between best practice and the submersion approach.

The components of culturally responsive teaching, appropriate literacy instruction, and sheltered content instruction are well-described on pp. 6-9 of the *Synthesis Brief: English Language Learners with Disabilities* (Project Forum at NASDSE, 2004) http://www.projectforum.org/docs/ells.pdf

More detailed information about sheltered content instruction can be found in *Making Content Comprehensible for English Language Learners: The SIOP Model* (Echevarría, Vogt & Short, 2008) and also at http://www.alliance.brown.edu/tdl/tl-strategies/mc-principles.shtml.

Teachers of English as a Second Language (TESOL) professionals concerned with helping classroom teachers deliver cognitively challenging, grade-level content instruction to ELLs of varied degrees of proficiency in academic English have recommended the use of a variety of strategies known loosely as "sheltered instruction." Recently, the researchers, Echevarría, Vogt and Short from The Center for Research on Education, Diversity and Excellence (CREDE), developed a research-based, systematic and comprehensive model of sheltered instruction that has proven effective not only for ELLs, but for other students who struggle with language. This model, known as SIOP (Sheltered Instruction Observation Protocol), has been widely and successfully implemented. In addition, Vermont, as a member of the WIDA Consortium, has participated in a joint project between WIDA and the Center for Applied Linguistics to develop CLIMBS (Content and Language Integration as a Means of Bridging Success). CLIMBS is a professional development course that teaches participants about the integration of the WIDA English Language Proficiency (ELP) standards with sheltered instruction strategies, as well as other approaches.

In whatever form it appears, effective sheltered instruction involves the development of appropriate instructional accommodations for ELLs and includes the systematic application of the following components:

- Lessons prepared for ELLs in content classrooms are cognitively challenging, at grade level, are developmentally appropriate, and meet both state content standards and the WIDA/TESOL English language proficiency standards.
- Each lesson has both clearly defined content objectives and language development objectives that are shared with students at the start and reviewed with them at the end of the lesson.
- To help culturally diverse students create the web of knowledge that will support deep comprehension, teachers create an overt link between the current content and the student's personal, family and cultural background. Toward that end, they identify and teach the key vocabulary of their specific content area, and use a variety of methods to fill in any gaps in foundational knowledge.
- To facilitate the development of academic English, classroom teachers collaborate with the ELL teacher to identify and include appropriate instruction in the academic vocabulary and language forms needed for the content lesson and for growth in the skill of grade-level academic discourse.
- Teachers ensure that the lesson is comprehensible to ELLs by using appropriate speech and by using a variety of methods and materials to contextualize concepts for those students whose English language functions are not yet robust enough for accurate, rapid, de-contextualized comprehension.
- Teachers include instruction in cognitive and meta-cognitive strategies, in order to assist ELLs to master content and the language structures and rhetorical forms of academic English.
- To facilitate the integration of content and to provide essential oral practice in academic English, lessons include many opportunities for conversations between students and between students and instructor.
- Lessons include ample opportunity for hands-on practice and application of lesson concepts, as well as the integration of all four language domains (listening, speaking, reading, and writing).
- Teachers regularly assess their students, using formative assessment to guide subsequent lesson delivery.

The following sources were chosen to provide more in-depth information about effective content instruction for all ELLs, those with and those without learning disabilities. The first two articles provide a summary of the SIOP model and of the research supporting the systematic application of sheltered instruction. They are followed by a detailed outline of the SIOP lesson components and features. The three longer articles (Wallace; Zehler; and National Council of La Raza) provide more narrative detail and excellent examples of the integration of sheltered instruction into mainstream classrooms. These are followed by a brief and excellent resource listing many effective classroom strategies.

- Sheltered English Instruction
  http://www.alliance.brown.edu/tdl/tl-strategies/mc-principles.shtml

- SIOP: Making Content Comprehensible to ELLs
  http://www.everythingesl.net/inservices/using_siop_model_08621.php.php

- An outline of the SIOP components and features
  http://www.misd.net/bilingual/ELL.pdf

- Wallace, S**.** (2004). *Effective Instructional Strategies for ELLs in Mainstream Classrooms*. http://www.newhorizons.org/spneeds/ell/wallace.htm

- Zehler, A. (1994). *Working with ELLs: Strategies for Elementary and Middle School Teachers*.

- *Educating ELLs: Implementing Instructional Practices.* The National Council of La Raza and the Education Alliance at Brown University, 2005.

- *ESOL and Migrant Education: Classroom Strategies for ELL Students.*

The following sources relate more specifically to those ELLs for whom the best practice strategies provided by the classroom teacher and ELL teacher have not yet proven effective. For the most part, the literature on working with these students reinforces the importance of continuing to use the strategies of good sheltered instruction, along with increased intensity or frequency, or perhaps taught in a less distracting environment. In situations when a student seems to have a learning disability interacting with the second language acquisition process, experts use the term "double sheltering" (language-based and then Learning Disabilities-based). In these situations, the full range of instructional strategies should be combined with those of effective sheltered instruction. The ELL and Special Education specialists work as a team to ensure that the lessons and materials continue to be appropriately accommodated for language proficiency and cultural diversity.

- *English Language Learners with Special Needs: Effective Instructional Strategies* (Ortiz, A. A., CAL Digest, 2001): http://www.cal.org/resources/digest/0108ortiz.html

- *Promising Strategies That Support Culturally and Linguistically Diverse Students with Disabilities* (ERIC Clearinghouse on Disabilities and Gifted Education, 2008): http://www.hoagiesgifted.org/eric/osep/recon7/rc7sec2.html

- *Synthesis Brief: English Language Learners with Disabilities* (Project Forum at NASDSE, 2004): http://www.projectforum.org/docs/ells.pdf

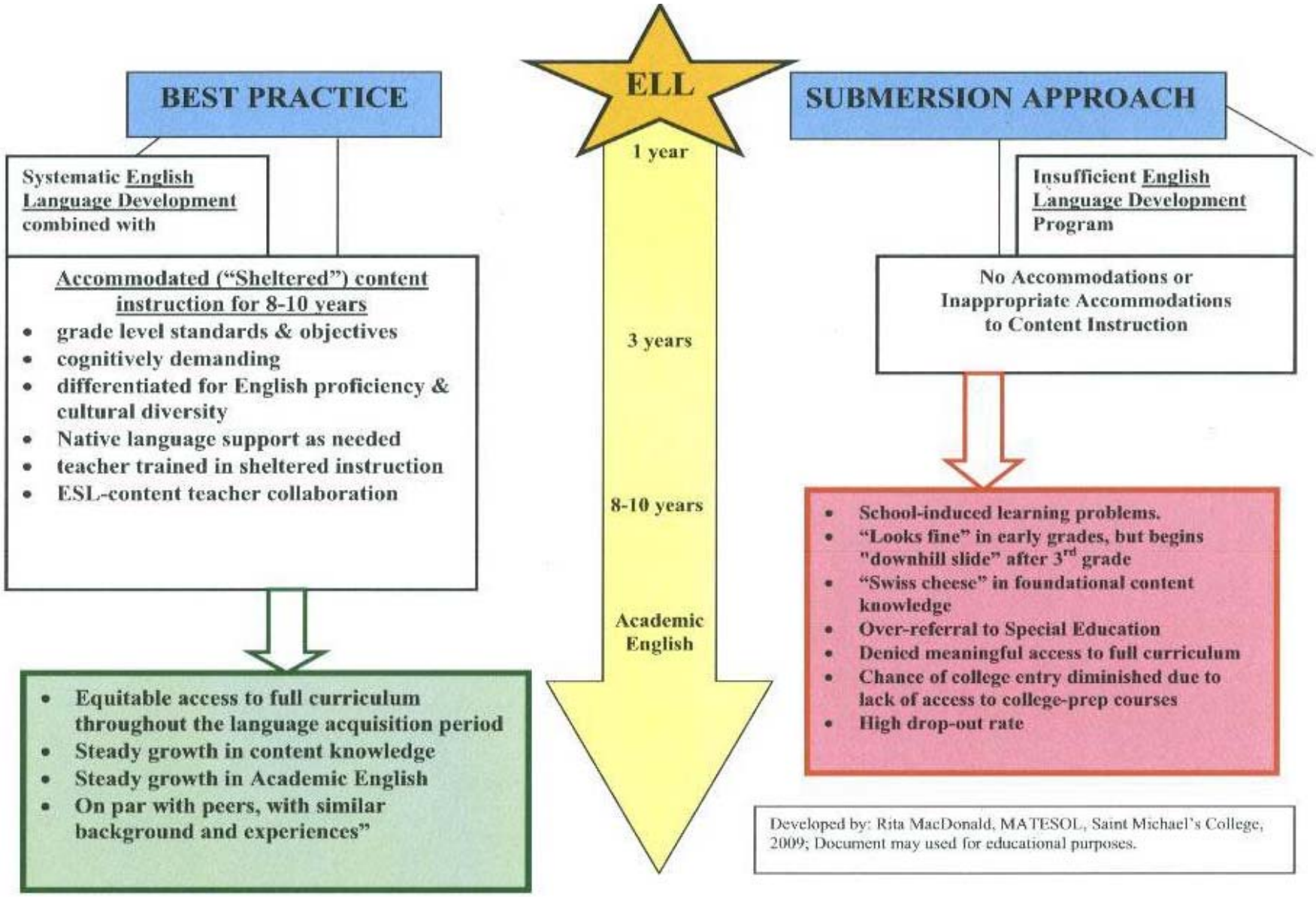
The appendices list many additional resources, both print and web-based, that will help teachers deepen their knowledge and skill in developing appropriate accommodations for ELLs in their mainstream classrooms.

References

Artiles, A. *J.* & Ortiz, A. A**.** (2002). *English Language Learners with Special Education Needs: Identification, Assessment and Instruction.* Center for Applied Linguistics.

Echevarria, Vogt & Short. (2008). *Making Content Comprehensible for English Language Learners: The SIOP Model, Third Edition*. Pearson Publishing.

The Center for Applied Linguistic, SIOP website: http://www.cal.org/siop/


BEST PRACTICE
Systematic English Language Development combined with
Accommodated ("Sheltered") content instruction for 8-10 years
• grade level standards & objectives
• cognitively demanding
• differentiated for English proficiency & cultural diversity
• Native language support as needed
• teacher trained in sheltered instruction
• ESL-content teacher collaboration
• Equitable access to full curriculum throughout the language acquisition period
• Steady growth in content knowledge
• Steady growth in Academic English
• On par with peers, with similar background and experiences"
ELL
1 year
3 years
8-10 years
Academic English
SUBMERSION APPROACH
Insufficient English Language Development Program
No Accommodations or Inappropriate Accommodations to Content Instruction
• School-induced learning problems.
• "Looks fine" in early grades, but begins "downhill slide" after 3rd grade
• "Swiss cheese" in foundational content knowledge
• Over-referral to Special Education
• Denied meaningful access to full curriculum
• Chance of college entry diminished due to lack of access to college-prep courses
• High drop-out rate
Developed by: Rita MacDonald, MATESOL, Saint Michael's College, 2009; Document may used for educational purposes.

VII. Making Appropriate Referrals to Special Education

This chapter covers the paradox that ELLs are both over- and under-represented in special education and offers concrete suggestions for Educational Support Teams to consider when deciding whether to refer a student for a special education evaluation.

Current research indicates that students who come from culturally and linguistically different backgrounds are more likely to be placed in high incidence disability categories and are over-represented in special education programs in U.S. schools (Artiles and Ortiz, 2002). Conversely, educators delay in making referrals to special education if they are waiting for the ELL to demonstrate progress in his or her language acquisition, or do not have appropriate systems in place to assist them in determining the source of the student's difficulties in the general education setting. Currently, 15% of the students enrolled in Vermont public schools are eligible for special education and just under 1% are ELL students. Given the historical over- and under-representation of ELL students in special education and the apprehension that educators may have about referring ELL students to special education programs too early in their English language development, it's important to ensure that referrals of ELL students to special education programs are supported by clear evidence.

The EST, as described in "The EST Process" section of this resource guide, is the appropriate vehicle for educational professionals, cultural liaisons/interpreters and families to use when a student appears to have learning, linguistic, physical or social-emotional difficulties. The purpose of the EST is to "function as a 'think tank' to help solve the puzzle of what is going on with a student and determine what s/he might need to be more successful as a learner," (Vermont Department of Education, Educational Support Team (2006)). The EST provides a systematic framework for addressing the complex learning profiles of ELL students.

Before making a special education referral, the EST should perform an investigation using a flow chart such as the one developed by Garcia and Ortiz (1988). (See Appendix D.) The chart will help EST members analyze the roles of cultural differences, curriculum and instructional styles, educational environment, family perceptions and background related to the student's academic performance in the general educational setting. It is essential that at least one member of the EST have a thorough understanding of second language acquisition and teaching methods that are appropriate for ELL students. EST members should also have knowledge of federal and state legal requirements in providing appropriate education for ELL students.

The EST should explore the following possibilities.

- the student has no medical issues that impact his/her education;
- there are no socio-cultural concerns related to the educational environment or from the student's cultural background that are primary factors in the student's learning or behavior problem;
- the student's conversational and academic language skills have been adequately assessed using formal and informal measures in both the native language(s) and English;
- second language acquisition processes (additive and subtractive) and the interaction of multiple languages have been considered;
- the student did not respond positively to appropriately differentiated classroom instruction for ELL students;

- all information, interventions and screening data were documented accurately and organized for reference during the investigation, and
- the student is found to have more complex learning and behavior problems that require a more comprehensive evaluation.

After the EST has gone through this investigative process, the team also needs to be certain that the following questions from the Colorado Department of Education, Special Education Unit's *Fast Facts* have been answered to the fullest extent possible before making a referral to special education:

- Have we considered the child's academic history and personal experiences?
- Has the student had support, structure, and instruction for sufficient time, with enough intensity, to acquire necessary language, academic, and behavioral skills?
- Have we used appropriate accommodations in the classroom?

These questions from the Colorado framework (see p. 37) are relevant to Vermont and important in ensuring that only *appropriate* referrals are made.

If all of the above have been completed, the special education staff person receiving the referral should begin the formal process of a special education evaluation. When the multidisciplinary EST follows this systematic approach of ruling out possible variables regarding the cause of the student's difficulties, they will provide invaluable information for the special education evaluation planning team's assessment of the student's learning, linguistic and social-emotional needs.

References

Artiles, Alfredo J. and Alba A. Ortiz, Eds. (2002). *English Language Learners with Special Education Needs.* Center for Applied Linguistics and Delta Systems, Inc.

Collier, Catherine (2004). *Separating Difference from Disability, 3rd Edition*. Cross Cultural Developmental Education Services.

Colorado Department of Education. English Language Learners with Exceptional Needs Resource Page. http://www.cde.state.co.us/cdesped/ELL.asp

Garcia, S. B. and Ortiz, A. A. (1988). *Preventing Inappropriate Referrals of Language Minority Students to Special Education.* New Focus Series, No. 5. Washington, D.C.: National Clearinghouse for Bilingual Education.

Vermont Department of Education (2006). Educational Support Team (EST): Frequently Asked Questions. http://education.vermont.gov/new/html/pgm_ess/faq_est.html

Resources

Hamayan, E., Marler, B., Sanchez-Lopez, C., and Damico, J**.** (2007). *Special Education Considerations for English Language Learners, Delivering a Continuum of Services*. Caslon Publishing.

Klinger, J. K., Hoover, J. J, Baca, L. M**.** (2008). *Why do English Language Learners Struggle with Reading? Distinguishing Language Acquisition from Learning Disabilities*. Corwin Press.

VIII. Conducting a Special Education Evaluation for an English Language Learner (ELL)

Currently, Vermont school districts base their policies and procedures on both state and federal regulations and guidelines, which are, of course, applicable to ELLs. These alone, however, do not sufficiently address the needs of ELLs. This section offers guidelines and ways of organizing the process in order to make it an accurate and equitable assessment of the student's skills in a variety of domains.

Conducting special education evaluations for ELLs in Vermont schools can be seen as a complex and problematic process. There are several reasons for this, including: (1) Vermont's unique demographic profile; (2) varying levels of cultural and linguistic knowledge on the part of educators and assessment professionals; (3) reliance on standardized assessments to determine disabilities; and (4) a range of best practices on how to include interpreters and families in the evaluation process. The tools in this section will help guide educators to address these challenging issues during the evaluation.

Once the referral has been given to a special educator, school psychologist or speech-language pathologist (SLP), the information supporting the referral should be reviewed to determine that the referral is appropriate for the particular student. The Evaluation Planning Team (EPT) will then be formed and includes, at a minimum: a special educator, school psychologist, SLP, parents/guardians, cultural liaison/interpreter, ELL instructor and classroom teacher. A critical task for the team is to review the information gathered during the EST process. The team should also include staff who can answer questions about:

- educational history and opportunities for learning;
- assessment procedures that are linguistically and culturally appropriate;
- assessments administered by the student's ELL teacher (e.g., the WIDA **ACCESS for ELLs®** test);
- the student's current academic and social-instructional language proficiency in all 4 language domains—listening, speaking, reading, and writing--in both languages (as is possible to determine);
- academic performance of the ELL, accentuating his/her strengths and the types of accommodations he/she needs to access learning;
- relevant physical and/or medical issues;
- special education disabilities and process.

Essential to the effectiveness of this team is the use of multicultural liaisons/interpreters who can discern and navigate cultural understandings in the evaluation process. Giving full consideration to the cultural and linguistic context that is part of the student's profile, and the impact of those factors on his/her present educational setting, cannot be overstated. Student behaviors and language use can be misinterpreted as language or cognitive delays when the student is simply exhibiting typical second language acquisition behaviors. McKibbin (1995) and Collier (2004) provide checklists of behaviors and intake forms for use with families, teachers and other educational professionals.

The **Colorado Department of Education Framework** includes helpful questions that the EPT can use to examine the relationship between the student's linguistic and cultural background and his/her current educational environment. The Colorado questions below may also be used in preparation for the evaluation process.

Before beginning the evaluation process, a*sk: Have we considered the important factors to design the evaluation?*

- What do we already know? What do we want to learn?
- What are the English language skills of this student? How do we know?
- Which information tools will be useful? Who will use them?
- Are there appropriate tests in this student's native language? Are the norms appropriate? Does the student require the tests to be in his/her first language?
- If we will use an interpreter, who will it be? Has he/she been trained in the special education assessment process and interpreting procedures?
- Have the parents received notification of their rights and procedural safeguards in a language they understand?

Before determining eligibility for special education, a*sk: Do we have sufficient, unbiased information to make a decision?*

- Can diversity or language factors be ruled out as a primary cause of the student's difficulties?
- Can we document that there is a disability (most likely without the use of standardized test scores)? Can we document there is a disability in both (all) the languages the child speaks?
- Does the student need special education services to benefit from the general education curriculum? Does the student need English as a second language services to benefit from the general education curriculum?
- Will parents need an interpreter?

Before developing an IEP, a*sk: How will we coordinate services to meet the complex needs of this student?*

- What are the language needs of the student?
- Who will be involved in meeting the language and the special education needs of this student?
- How will the staff collaborate?
- Where will the services be delivered?
- Who will monitor progress and for which things?
- Have we ensured that parents were knowledgeable partners in decision making and planning?

In addition, the Kansas State Department of Education published *Speech-Language Guidelines for Schools* and *Best Practices in General Education Interventions and Comprehensive Evaluations of English Language Learners for School Psychologists.* Both of these documents describe how to use multicultural liaisons in the translation process as well as during informal testing. The Kansas documents can be found respectively at: http://www.ksde.org/Default.aspx?tabid=2322 and http://www.ksde.org/Default.aspx?tabid=365

Assessing ELLs informally is essential because ELLs are not included in the normative samples of standardized assessments. Those assessments can be used for qualitative information. Some standardized evaluations can be used with certain groups, but dialect and geographic variety of the group need to be considered (e.g., a test that assesses the Spanish language skills based on a normative sample of students in Mexico is not necessarily valid for a student from Puerto Rico or

the Dominican Republic). Written testing in the student's native language is also inappropriate for students who come from cultures that rely primarily on oral communication and storytelling.

Appropriately assessing ELL students takes time and effort. Establishing the native language proficiency will provide evaluators with information on language dominance, will guide the use of effective assessment tools, and will highlight strengths and difficulties the student has in his/her native language. Knowledge of the student's language proficiency may be obtained by observation in a variety of settings: interviews with parents, students' language samples with an interpreter, and any available valid assessments in the child's native language. Once the student's native and English proficiency levels are known, the educational professionals can determine how to further assess the student's cognitive, academic and language skills. The Kansas State Department of Education's publication, *Best Practices in General Education Interventions and Comprehensible Evaluations of English Language Learners* provide suggestions for use of appropriate non-standard testing procedures. This document can be found at: http://www.ksde.org/Default.aspx?tabid=365

References

Collier, Catherine (2004). *Separating Difference from Disability, 3rd Edition*. Cross Cultural Developmental Education Services.

Colorado Department of Education. *English Language Learners with Exceptional Needs* http://www.cde.state.co.us/cdesped/ELL.asp

Kansas Bilingual Assessment Committee (1999). *Best Practices in General Education Interventions and Comprehensive Evaluations of English Language Learners.* http://www.ksde.org/Default.aspx?tabid=365

Kansas State Department of Education (2005). *Speech-Language Guidelines for Schools with a Focus on Research-Based Practices* http://www.ksde.org/Default.aspx?tabid=2322

McKibbin, C. R. (1995). *Assessment of Bilingual Learners: Language Difference or Disorder?* American Speech-Language-Hearing Association. ASHA Professional Development, Self-Study 7090. http://www.asha.org/eweb/OLSDynamicPage.aspx?Webcode=olsdetails&title=Assessment+of+Bilingual+Learners%3a+Language+Difference+or+Disorder%3f

IX. Appendices

- Appendix A - References
- Appendix B – Resources
- Appendix C – Glossary
- Appendix D – Garcia and Ortiz Flow Chart

Appendix A
References

Artiles, A. J. & Ortiz, A. A. (2002). *English Language Learners with Special Education Needs: Identification, Assessment and Instruction*. Center for Applied Linguistics.

The Center for Applied Linguistic, SIOP website: http://www.cal.org/siop/

Collier, Catherine (2004). *Separating Difference from Disability, 3rd Edition*. Crosscultural Developmental Education Services.

Colorado Department of Education. *English Language Learners with Exceptional Needs Resource Page.* http://www.cde.state.co.us/cdesped/ELL.asp

Colorado Department of Education (Special Education Services Unit), *Fast Facts* (March 2002).

Echevarria, Vogt & Short. (2008). *Making Content Comprehensible for English Language Learners: The SIOP Model, Third Edition*. Pearson Publishing.

Garcia, S.B. and Ortiz, A.A. (1988). *Preventing inappropriate referrals of language minority students to special education.* New Focus Series, No. 5. Washington, D.C.: National Clearinghouse for Bilingual Education.

Kansas Bilingual Assessment Committee (1999). *Best Practices in General Education Interventions and Comprehensive Evaluations of English Language Learners.* http://www.ksde.org/Default.aspx?tabid=365

Kansas State Department of Education (2005). *Speech-Language Guidelines for Schools with a Focus on Research-Based Practices.* http://www.ksde.org/Default.aspx?tabid=2322

McKibbin, C.R. (1995). *Assessment of Bilingual Learners: Language Difference or Disorder? American Speech-Language-Hearing Association.* ASHA Professional Development, Self-Study 7090 http://www.asha.org/eweb/OLSDynamicPage.aspx?Webcode=olsdetails&title=Assessment+of+Bilingual+Learners%3a+Language+Difference+or+Disorder%3f

Vermont Department of Education (2006). *Educational Support Team (EST): Frequently Asked Questions*. http://education.vermont.gov/new/html/pgm_ess/faq_est.html

.

Appendix B
Resources

The Association of Africans Living in Vermont: http://www.africansinvermont.org/about.html

Barrera, I., Corso, R.M. & McPherson, D. (2003). *Skilled Dialogue, Strategies of Responding to Cultural Diversity in Early Education*. Brookes Publishing Co.

Building Collaboration Between Schools and Parents of English Language Learners: Transcending Barriers, Creating Opportunities (NCCREST)

Burns, Debora A. & Croso, Rober M. (2000). *Working with Culturally and Linguistically Diverse Families.* Eric Digest.

Center for Applied Linguistics (CAL) Website: http://www.cal.org/

Center on School, Family, and Community Partnerships, Joyce L. Epstein, Director, Johns Hopkins University, Baltimore, MD: http://www.csos.jhu.edu/P2000/center.htm

Determining Appropriate Referrals of English Language Learners to Special Education (U.S. Office of Special Innovations Programs): http://www.dcsig.org/files/DeterminingAppropriateReferralsOfEnglishLanguageLearnersToSpecialEducation.pdf

Educating English Language Learners: Implementing Instructional Practices: http://www.nclr.org/content/publications/detail/36199

Educational Support Teams in Vermont: http://education.vermont.gov/new/html/pgm_ess.html

English Language Learners (ELLs) with Disabilities: http://www.projectforum.org/docs/ells.pdf

Ensuring Academic Success for English Language Learners (2004): http://lmri.ucsb.edu/publications/newsletters/v15n4.pdf

Family Involvement Network of Educators (FINE): http://www.hfrp.org/family-involvement/fine-family-involvement-network-of-educators

Harvard Family Research Project: http://www.gse.harvard.edu/hfrp/

Hamayan, E., Marler, B., Sanchez-Lopez, C., and Damico, J**.** (2007). *Special Education Considerations for English Language Learners: Delivering a Continuum of Services.* Caslon Publishing.

Hoover, John J., Klinger, J. K., Baca, L. M., and Patton, J. M.(2008). *Methods for Teaching Culturally Diverse Exceptional Learners. Pearson Education Inc.*

Kalyantur, M. & Harry, B. (1999). *Culture in Special Education: Building Reciprocal Family-Provider Relationships.* Paul H. Brooke Publishing Co.

Klinger, Janette, Hoover, John J. and Baca, Leonard M.(2008). *Why Do English Language Learners Struggle with Reading? Distinguishing Language Acquisition from Learning Disabilities.* Corwin Press.

Kozleski, E.B., Sobel, D. & Taylor, S.B.(September 2003*). Embracing and Building Culturally Responsive Practices .Multiple Voices for Ethnically Diverse Exceptional Learners. September 2003,* Vol. 6, Issue 1.

Lynch, E. & Hanson, M.(2004). *Developing Cross-Cultural Competence, A Guide Working with Children and Their Families*. Brookes Publishing Co.

Lynch, E. & Hanson, M. (2004). *Understanding Families, Approaches to Diversity, Disability and Risk*. Brookes Publishing Co.

National Clearinghouse for English Language Acquisition: http://www.ncela.gwu.edu

The New England Equity Assistance Center (NEEAC): http://neeac.alliance.brown.edu/ourwork_what.shtml

Pacer Center (Champions for Children with Disability): http://www.Pacer.org

Partnering with Your Child's School: *A Guide for Parents Information and Resources for Families of Children with Health and/or Mental HealthCare Needs:* http://www.hscfoundation.org/aboutus/publications/partnering_with_schools_english_guide.pdf

Reaching Out to Diverse Populations: *What Can Schools Do to Foster Family School Connections (SEDL):* http://www.sedl.org/connections/resources/rb/rb5-diverse.pdf

Serving Students Learning English As A Second Language: A Guide For Vermont Educators: http://education.vermont.gov/new/html/pgm_esl/guide_94.html

US Department of Education: http://www.ed.gov/policy/speced/guid/idea/idea2004.html

Vermont Department of Education: http://education.vermont.gov/

VFN: Vermont Family Network: http://www.vermontfamilynetwork.org

Vermont Department of Education's website, for ESL information: http://education.vermont.gov/new/html/pgm_esl.html

VT ELL growth chart from the NCELA website: http://www.ncela.gwu.edu/files/uploads/4/Vermont-G-06.pdf

Vermont Refugee Resettlement Program: http://vrrp.org/

WIDA (World-Class Instructional Design & Assessment) Consortium: http://www.wida.us

Wagner, C. (2001). *Cultural Reciprocity Aids Collaboration with Families.* Eric Digest.

Zelasko, N. & Antunez, B. (August 2000). *If Your Child Learns in Two Language. The George Washington University, Graduate School of Education, Human Development. (English, Spanish, Vietnamese, Chinese, Haitian Creole, Armenian, Korean):* http://www.ncela.gwu.edu/files/uploads/9/IfYourChildLearnsInTwoLangs_English.pdf

Appendix C
Glossary

A note to readers: In addition to providing definitions for many terms used in this document, others in the glossary are broadly relevant to the educational issues and opportunities relating to providing services to ELLs in Vermont.

Attention Deficit Disorder ADD/ADHD
An inability to control behavior due to difficulty in processing neural stimuli. This term describes a lifelong developmental disability that can first be detected in infancy, early childhood or even in adolescence, and which affects a child's ability to concentrate and control impulses and behavior. A child who has ADD is not hyperactive, but will often experience a difficulty sustaining a functional level of attention in connection with the performance of normal life task or play activities, and may also experience difficulty in persisting with tasks to completion, or in sustaining concentration for longer periods of time.

Bicultural
Identifying with the cultures of two different language groups. To be bicultural is not necessarily the same as being bilingual, and vice-versa (Baker, 2000).

Bilingual Education Act
Enacted in Congress in 1968 as Title VII of the Elementary and Secondary Education Act (ESEA) of 1965 as amended. It established a discretionary competitive grant program to fund bilingual education programs for economically disadvantaged language minority students, in recognition of the unique educational disadvantages faced by non-English speaking students. The Act was reauthorized in 1974, 1978, 1984, 1988, and 1994. Each reauthorization brought changes in the types of bilingual education programs that could receive federal grants (Crawford, 1995; Baker, 2001). Under the No Child Left Behind Act of 2001, Title III of ESEA: Language Instruction for Limited English Proficient and Immigrant Students has replaced Title VII: Bilingual Education.

Bilingual education
An educational program in which two languages are used to provide content matter instruction. As with the term “bilingualism,” bilingual education is "a simple label for a complex phenomenon." An important distinction is between those programs that use and promote two languages and those where bilingual children are present, but bilingualism is not fostered in the curriculum (Baker & Jones, 1998).

Bilingualism
Put simply, bilingualism is the ability to use two languages. However, defining bilingualism is problematic since individuals with varying bilingual characteristics may be classified as bilingual. There may exist these distinctions between ability and use of a language: variation in proficiency across the four language dimensions (listening, speaking, reading and writing); differences in proficiency between the two languages; variation in proficiency due to the use of each language for different functions and purposes; and variation in language proficiency over time (Baker & Jones, 1998). People may become bilingual either by acquiring two languages at the same time in childhood or by learning a second language sometime after acquiring their first language.

Cognitive/Academic Language Proficiency CALP
Developed by Jim Cummins (1984), Cognitive/Academic Language Proficiency (CALP) is the language ability required for academic achievement in a context-reduced environment. Examples of context-reduced environments include classroom lectures and textbook reading assignments. CALP is distinguished from Basic Interpersonal Communication Skills (BICS) (Baker, 2000).

Castañeda v. Pickard
In 1981, in the most significant decision regarding the education of language-minority students since the 1974 U.S. Supreme Court case, *Lau v. Nichols*, the 5th Circuit Court of Appeals (648 F. 2d 989 (5th Circuit, 1981) established a three-pronged test for evaluating programs serving English language learners. According to the Castañeda standard, schools must:

- base their program on educational theory recognized as sound or considered to be a legitimate experimental strategy,
- implement the program with resources and personnel necessary to put the theory into practice, and
- evaluate programs and make adjustments where necessary to ensure that adequate progress is being made.

Communicative competence
The ability to interact appropriately with others by knowing what to say, to whom, when, where, and how (Hymes, 1972).

Content area
Generally refers to academic subjects in school; e.g., math, science, English/language arts, reading, and social sciences. Language proficiency (English or other language) may affect these areas, but is not part of them. Assessments of language proficiency differ from those of language arts.

Content-based ESL
This approach to teaching English as a second language makes use of instructional materials, learning tasks, and classroom techniques from academic content areas as the vehicle for developing language, content, cognitive and study skills. English is used as the medium of instruction (Crandall, 1992).

Context-embedded language
Communication occurring in a context that offers help to comprehension (e.g., visual clues, gestures, expressions, and location); the use of language where there are plenty of shared understandings and where meaning is relatively obvious due to help from the physical or social nature of the conversation (Baker, 2000).

Dominant language
The language with which the speaker has greater proficiency and/or uses more often (Baker, 2001). See primary language.

ELL
The terms “English Language Learner” (ELL) and “Limited English Proficient” (LEP) are used interchangeably in the literature and in the legislation. For the current federal definition of LEP in Title IX, Sec. 9101 (25) of NCLBA (20 USC 7801), see LEP below.

In Vermont, the term ELL refers to those students who have not yet met the State's definition of proficiency, as measured by the State's English language proficiency assessments which are also linked to grade appropriate academic standards. ELLs in Vermont range in academic language proficiency from Level 1 (Entering) all the way to Level 6 (Reaching), and can have varying levels of proficiency in the different domains of language—i.e., listening, speaking, reading, writing, and comprehension. ELLs need different degrees of support in acquiring and using language in the classroom, particularly with the complex academic language that leads to successful high school graduation and higher education opportunities.

ESS
Educational Support System

EST
Educational Support Team

ESEA
The Elementary and Secondary Education Act, first enacted in 1965, and reauthorized every five years. The ESEA was reauthorized as the No Child Left Behind Act in 2001.

ESL
English as a second language. (ESL) is an educational approach in which English language learners are instructed in the use of the English language. Their instruction is based on a special curriculum that typically involves little or no use of the native language, focuses on language (as opposed to content) and is usually taught during specific school periods. For the rest of the school day, students may be placed in mainstream classrooms, an immersion program, or a bilingual education program. Every bilingual education program has an ESL component (U.S. General Accounting Office, 1994). Also ELD, pullout ESL, ESOL, content-based ESL.

FAPE
Free appropriate public education; special education and related services provided in conformity with an Individual Education Plan (IEP); are provided without charge; and meet standards of the State Education Agency.

IDEA
The Individuals with Disabilities Education Act of 1997, reauthorized in 2004.

The Individuals with Disabilities Education Act (IDEA) is a federal law that is designed to ensure appropriate educational services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education and related services to more than 6.5 million eligible infants, toddlers, children and youth with disabilities.

LEP
Limited English Proficient, as defined in Title IX, Sec. 9101 (25) of NCLBA (20 USC 7801)

The term "limited English proficient" refers to an individual:

- Who is aged 3 through 21;
- Who is enrolled or preparing to enroll in an elementary school or secondary school;

- Who was not born in the United States or whose native language is a language other than English;
    - is a Native American, Alaska Native, or a native resident of the outlying areas; and who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
    - is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- Whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual:
    - The ability to meet the state's proficient level of achievement on state assessments described in Section 1111(b)(3) of ESEA;
    - The ability to successfully achieve in classrooms where the language of instruction is English; or
    - The opportunity to participate fully in society.

No Child Left Behind Act (NCLB)
The No Child Left Behind Act of 2001 is the most recent reauthorization of the Elementary and Secondary Education Act of 1965. The act contains four basic education reform principles: stronger accountability for results, increased flexibility and local control, expanded options for parents, and an emphasis on teaching methods based on scientifically-based research.

Portfolio assessment
A collection of student work that is analyzed to show progress over time with regard to instructional objectives" (Valencia 1991, cited in O'Malley & Valdez-Pierce, 1996, p.5). Student portfolios may include responses to readings, samples of writing, drawings, or other work.

Primary language
The language in which bilingual/multilingual speakers are most fluent, or which they prefer to use. This is not necessarily the language first learned in life (Baker, 2000).

SEA
State Educational Agency.

Second language
This term is used in several ways and can refer to: [(1) the second language learned chronologically; (2) a language other than the native language; (3) the weaker language; or (4) the less frequently used language. Second language may also be used to refer to third and further learned languages (Harris & Hodges, 1995).

Sheltered English
An instructional approach used to make academic instruction in English understandable to English language learners. It is intended to help them acquire proficiency in English while at the same time to achieve in content areas. Sheltered English instruction differs from ESL in that English is not taught as a language with a focus on learning the language. Rather, content knowledge and skills are the goals. In the sheltered classroom, teachers use simplified language, physical activities, visual aids, and the environment to teach vocabulary for concept development in mathematics, science, social studies and other subjects (National Clearinghouse for Bilingual Education, 1987).

Sink or swim
Programs where the course material is taught only in the dominant language of the country, e.g., English in the United States, without special concern for student comprehension. This approach violates the civil rights of limited English proficient children which are protected under the 1974 Supreme Court decision in *Lau v. Nichols*. This is sometimes called language submersion. (Baker, 2000).

Social English
Social English is the language of everyday communication in oral and written forms (Colorín' Colorado, 2006).

Special education
Specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability that is provided in the least restrictive environment. Special education is in place to provide additional services, support, programs, specialized placements or environments to ensure that all students' educational needs are provided for.

Target language
The language that a child is learning as a second language. For English language learners in the U.S., the target language is English. For native English speakers in dual language programs, the target language might be Chinese or Spanish.

Teachers of English to Speakers of Other Languages - TESOL
TESOL is a professional association of teachers, administrators, researchers and others concerned with promoting scholarship, the dissemination of information, and strengthening of instruction and research in the teaching of English to speakers of other languages and dialects.

TESL
Teaching English as a second language.

Threshold Theory
Research on thinking and bilingualism suggests two "thresholds," each of which is a level of language competence in the first or second language that must be passed to reach the next level of competence. The three levels are: limited bilingual, less balanced bilingual (age-appropriate competence in one language) and balanced bilingual (age-appropriate competence in both languages). The Threshold Theory, developed by linguist Jim Cummins, helps to explain why language minority children taught only through the second language may fail in school and why children educated in developmental bilingual programs may have a cognitive advantage over monolingual students (Baker & Jones, 1998).

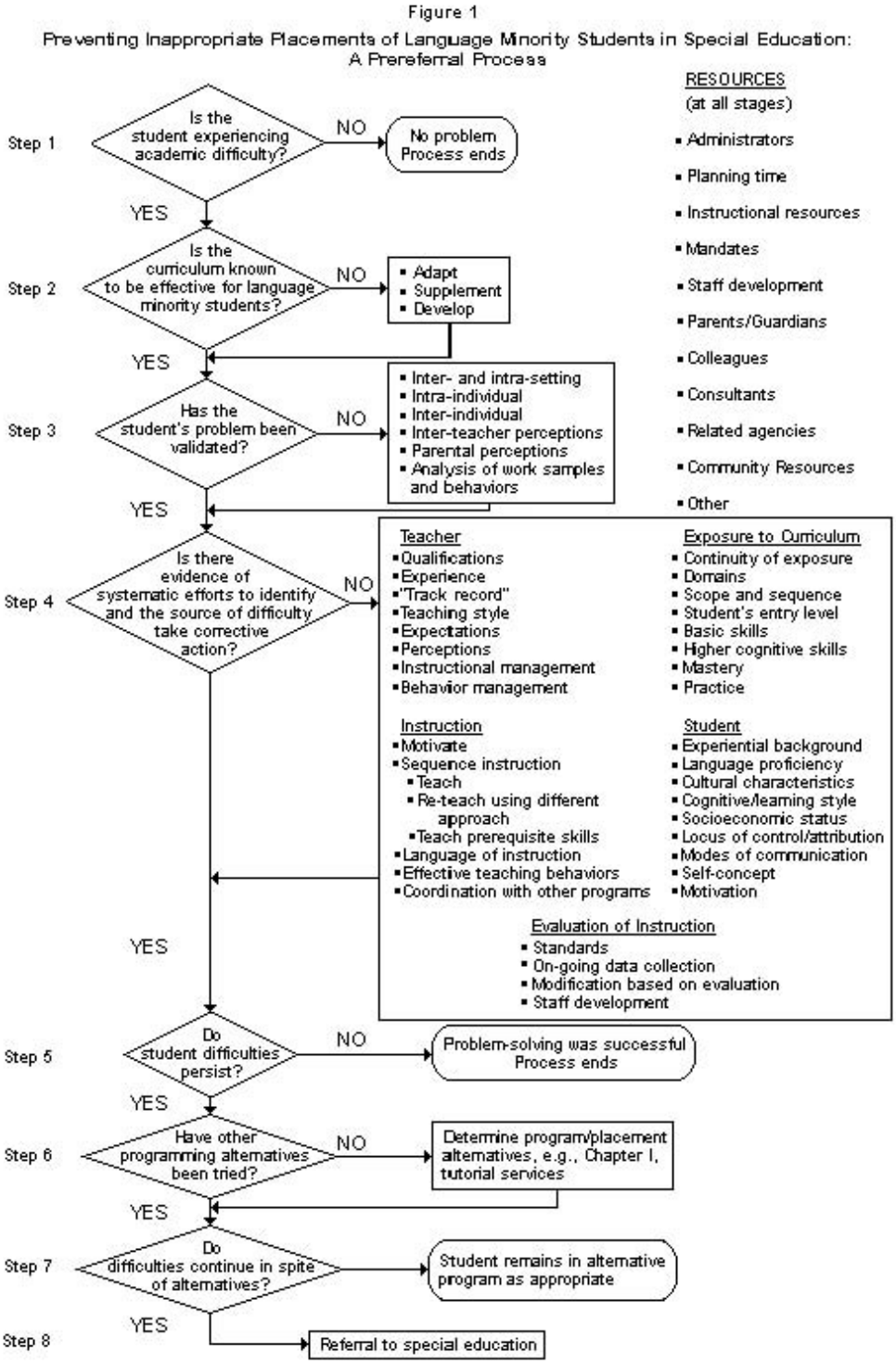
Title I, Part A (Improving the Academic Achievement of the Disadvantaged) of the Elementary and Secondary Education Act (ESEA), as reauthorized by NCLBA of 2001
Title I of 1965 as amended in 2001, supports programs to assist economically disadvantaged and at-risk students. Under the No Child Left Behind Act, Title I includes provisions for instruction and assessment of English language learners for academic achievement and English language proficiency.

Title II, Part A (Teacher Quality Enhancement) of the Elementary and Secondary Education Act (ESEA), as reauthorized by NCLBA of 2001
The three Teacher Quality programs authorized by Title II—State Grants, Partnership Grants, and Teacher Recruitment Grants—are intended to make lasting changes in the ways teachers are recruited, prepared, licensed, and supported. One clear goal of these grants is supporting efforts to reduce shortages of qualified teachers in high-need school districts.

Title III (English Language Acquisition) of the Elementary and Secondary Education Act (ESEA), as reauthorized by NCLBA of 2001
This program is designed to improve the education of limited English proficient (LEP) children and youth by helping them learn English and meet challenging state academic content and student academic achievement standards. The program provides enhanced instructional opportunities for immigrant children and youth. Funds are distributed to states based on a formula that takes into account the number of immigrant and LEP students in each state.

Title VI of the Civil Rights Act of 1964
Prohibits discrimination on the basis of race, gender, or national origin in programs and activities that receive federal financial assistance. The Title VI regulatory requirements have been interpreted to prohibit denial of equal access to education because of a language minority student's limited proficiency in English (Lyons, 1992).

Title IX (General Provisions, Part A – Definitions) of the Elementary and Secondary Education Act (ESEA), as reauthorized by NCLBA of 2001
Title IX of the ESEA of 1965 as amended by NCLBA: General Provisions, Part A – Definitions: Provides definitions of key words and phrases such as "scientifically based research," “average daily attendance,” and “Limited English Proficient,” found throughout the act.

Woodcock-Muñoz
The Woodcock-Muñoz Language Survey is intended to provide information on a student's cognitive and academic language proficiency (CALP). It is individually administered. It has both English and Spanish forms, with tests for oral language ability as well as reading and writing. All items are scored as right or wrong; there are no productive tasks … such as original writing or spoken discourse … scored on a rating scale. Combined, the scores on the tests yield a broad language ability score. The test is designed to represent the language abilities expected at all ages or grade levels from preschool through college (Hargett, 1998).

Appendix D
Garcia & Ortiz Flow Chart